

Prob12C (10/99)

**FILED**

**UNITED STATES DISTRICT COURT**

FEB 28 2007

for the  
**Western District of Oklahoma**

ROBERT D. DENNIS, CLERK  
U.S. DIST. COURT WESTERN DIST. OF OKLA.  
DEPUTY

**AMENDED**

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Timothy Southard

Case Number: CR-06-63-HE

Name of Judicial Officer: The Honorable Joe Heaton

Date of Original Sentence: 03/30/2003

Original Offense: Possession of an Unregistered, Sawed-Off Shotgun.

Original Sentence: 24 months custody with three years supervised release to follow.

Type of Supervision: Supervised Release

Date Supervision Commenced: 01/03/2006

Asst. U.S. Attorney: to be assigned

Defense Attorney: to be assigned

**PETITIONING THE COURT**

☐ To issue a warrant

☒ To issue a summons (**Hearing already scheduled for Thursday, 3/1/2007, at 11am**)

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation  
Number

Nature of Noncompliance

1

**The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.**

Mr. Southard had the following positive urine samples: 11/21/2006, marijuana (confirmed by lab), 12/26/2006, marijuana (confirmed by lab), 12/27/2006 marijuana (client admitted and signed admission form), 01/08/2007, marijuana and cocaine (confirmed by lab), 01/22/2007, marijuana (confirmed by lab).

2      **The defendant shall participate in substance abuse aftercare:**

Mr. Southard failed to provide breath tests on 11/13/2006, 12/21/2006, and 2/20/2007.

Mr. Southard failed to provide a urine sample for testing on 2/20/2007.

3      **The defendant shall participate in substance abuse aftercare:**

Mr. Southard failed to attend substance abuse counseling on 12/11/2006, and 2/26/2007.

U.S. Probation Officer Recommendation:

- ☒ The term of supervision should be  
    ☒ revoked.  
    ☐ extended for years, for a total term of years.

- ☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 2-27-2007  
    B Boese

Byron B. Boese  
Senior U.S. Probation Officer

Reviewed by,

Burle G. Steelman  
Burle G. Steelman  
Supervising U. S. Probation Officer

Date: 2.27.07

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THE COURT ORDERS

- ☐ No Action  
☐ The Issuance of a Warrant  
☒ The Issuance of a Summons  
☐ Other

*(need not duplicate prior summons  
if it has already issued)*

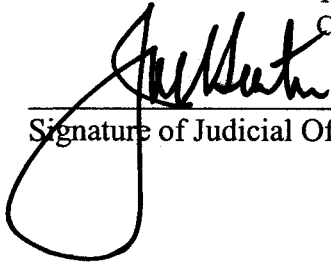
*JA*

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3

Timothy Southard  
CR-06-63-HE

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature of Judicial Officer